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By

Orlando Quiroz

Date

3/15/02

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ganapati R. Mauze.

Group Art Unit: 1641

Serial No.: 09/740,660

Examiner: Ceperley, M.

Filed: December 18, 2000

For: Fluorescence Immunoassays Using Organo-Metallic Complex Energy Transfer

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This Communication is filed in response to the Official action of February 13, 2002 that set a 1 month shortened statutory period for response. This response is timely and due on March 15, 2002 as prescribed by 35 U.S.C. 133 and M.P.E.P. 710.02(h) that stipulate a shortened statutory period not be less than 30 days.

RESTRICTION REQUIREMENT

Under 35 U.S.C. § 121

The Examiner requested restriction to one of the following inventions under 35 U.S.C. § 121:

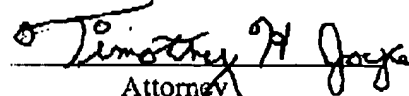
- I. Claims 1-27 drawn to an encapsulation vesicle comprised of a matrix and a ligand attached to a protective coating layer on the matrix, classified in class 436, subclass 527 and class 530, subclass 391.1; and
- II. Claims 28-31, drawn to a method for quantifying an analyte in sample by a competitive ligand binding assay using donor-acceptor luminescence as a means of detection, class 436, subclass 544.

In view of the election, Applicant respectfully requests examination of claims 1-27 on the merits. In the case that any issue regarding the application can be resolved expeditiously via a telephone conversation, Applicant invites the Examiner to call Timothy H. Joyce at 1-(650)-485-4310.

Respectfully submitted,

AGILENT TECHNOLOGIES INC.

By:



Attorney

Reg. No. 38,197

Dated:

3/15/02

Agilent Technologies Inc.
Legal Department, DL 429
Intellectual Property Administration
P. O. Box 7599
Loveland, Colorado 80537-0599

Agilent Technologies, Inc.
Intellectual Property Practice Group
1601 California Avenue, MS 171-5A
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Agilent Technologies

Facsimile

Date: October 3, 2002

Fax number: 703 746 5221

To: Mary Ceperley
Group Art Unit 1641
US Patent & Trademark Office

Total pages: 6

From: Timothy H. Joyce

Subject: USSN: 09/740,660, filed Dec. 18, 2000

Ordered can!

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PAGE 2

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USPTO->

650 485 5487 Rig AX

Page 001

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UNITED STATES
PATENT AND
TRADEMARK OFFICE

TO:

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4 (including cover page)

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| SENT BY: AGILENT IP LEGAL PAID ALTO 817; 650 485 5487; | | MAR-15-02 18:11:12 | | PAGE 1 | |
|---|----------------|-----------------------|------------------|--------|--|
|  Agilent Technologies | | Facsimile Cover Sheet | | | |
| To: | CEPERLEY, MARY | Date: | March 15, 2002 | | |
| Company: | USPTO | From: | Orlando, Florida | | |
| Telephone number: | (703) 306-4739 | Fax to: | (650) 485-5487 | | |
| Fax number: | (703) 679-8206 | Total pages: | 4 | | |
| <hr/> | | | | | |
| Re: Response/Amendment Inventor(s): CORNELL R. MOUTZ et al. Serial No.: 09/740,680 Filing Date: Dec. 10, 2000 Title: "Fluorescence Immunoassays Using Organic Metalate Complexes For Energy Transfer" | | | | | |
| Accompanying this fax cover page are the following documents: | | | | | |
| Transmittal letter for Response/Amendment | | | | | |
| Response To The Restriction Notice 7/13/02 | | | | | |
| Authorization To Charge Fees To Deposit Account | | | | | |
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101 College Ave., 2nd Fl. - 2A
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Agilent Technologies

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| Company | (HPTU) |
| Telephone number | (703) 508-4259 |
| For number | (703) 872-0308 |

| | |
|----------------|----------------|
| Date: | March 15, 2003 |
| To: | Orlando Quilts |
| For amount: | (500) 480-3497 |
| Total payment: | 4 |

Re: Response/Amendment
Inventor(s): Ganapati R. Majumdar et al.
Serial No.: 09/740,660
Filing Date: Dec. 18, 2000
Title: "Fluorescence Immunoassays Using Organic-Metallic Complexes For Energy Transfer"

Accompanying this tax cover page are the following documents:

Transmitted letter to: Respondents/Amendments

Response To The Rationales Dated 2/19/02

Authorization to Charge Fees To Deposit Account

AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P. O. Box 7589
Loveland, Colorado 80537-0599

PATENT APPLICATION

ATTORNEY DOCKET NO. 10004415-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Ganapati R. Mauze et al.

Serial No.: 09/740,660

Examiner: CEPERLEY, MARY

Filing Date: Dec. 18, 2000

Group Art Unit: 1641

Title: Fluorescence Immunoassays Using Organo-Metallic Complexes For Energy Transfer

COMMISSIONER FOR PATENTS
Washington, D.C. 20231

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment () Petition to extend time to respond
() New fee as calculated below () Supplemental Declaration
() No additional fee (Address envelope to "Box Non-Fee Amendments")
() Other: _____ (fee \$ _____)

| CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY | | | | | | |
|--|--|------------------------|--|-------------------------|-------------|---------------------------|
| (1) FOR | (2) CLAIMS REMAINING AFTER AMENDMENT | (3) NUMBER EXTRA | (4) HIGHEST NUMBER PREVIOUSLY PAID FOR | (5) PRESENT EXTRA | (6) RATE | (7) ADDITIONAL FEES |
| TOTAL CLAIMS | | MINUS | | = 0 | X \$18 | \$ 0 |
| INDEP. CLAIMS | | MINUS | | = 0 | X \$84 | \$ 0 |
| [] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM | | | | | + \$280 | \$ 0 |
| EXTENSION FEE | 1ST MONTH \$110.00 | 2ND MONTH \$400.00 | 3RD MONTH \$920.00 | 4TH MONTH \$1440.00 | | \$ 0 |
| OTHER FEES | | | | | | \$ |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT | | | | | | \$ 0 |

Charge \$ 0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this sheet is enclosed.

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Date of Facsimile: 3/15/02

Typed Name: Orlando Quiroz

Signature: 

Respectfully submitted,

Ganapati R. Mauze et al.

By 

Timothy H. J. yce

Attorney/Agent for Applicant(s)

Reg. No. 38,197

Date: 3/15/02